

**BY ORDER OF THE COMMANDER
UNITED STATES AIR FORCES IN EUROPE**

**UNITED STATES AIR FORCES IN EUROPE
INSTRUCTION 36-725**

12 MARCH 2004

Civilian Personnel

**USAFE CIVILIAN SERVICE
PROGRAM--GERMANY**



COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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OPR: HQ USAFE/A1CP
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Supersedes USAFEI 36-725, 17 Mar 1997.

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Pages: 12
Distribution: F (GE only)

This instruction implements AFD 36-7, *Employee and Labor-Relations Management*, prescribes policy and procedures governing employment, administration, and logistical support of Non-US Citizen personnel employed under the terms of Appendix Z of the Collective Tariff Agreement (CTA II) or individual employment agreements related to it. This instruction applies to all United States Air Forces in Europe (USAFE) activities serviced by an Air Force Civilian Personnel Flight (CPF) in Germany.

SUMMARY OF REVISIONS

This document is substantially revised and must be completely reviewed.

This revision updates references, revises designations, wording and terminology.

1. Authorities. Statutory authority is derived from the following documents:

- 1.1. Article IX (4), North Atlantic Treaty Organization (NATO) Status of Force Agreement (SOFA).
- 1.2. Exchange of Notes between the Ambassador of the United States, Bonn, and the German Federal Minister of Foreign Affairs, 11 Apr 1957.
- 1.3. Article 56 of the Supplementary Agreement to the NATO SOFA with respect to Foreign Forces stationed in the FRG, 03 Aug 1959, as amended.

2. General:

- 2.1. Space and funding for Civilian Service (CS) personnel are not separately authorized but are part of the total space and budget authorization for non-US Citizen indirect hires allocated to an organization or installation employing CS personnel.

2.2. Installations or organizations employing CS personnel will provide logistical support in the form of barracks-type bachelor quarters, food service, and uniform work clothing. **Attachment 2** prescribes policy and procedures for use of government-controlled accommodations by CS personnel and provides administrative instructions for completing AF Form 825, **Notification of Personnel Action (Non-US (Germany))**, as it applies to housing. **Attachment 3** prescribes policy and procedures for furnishing meals to CS employees.

3. Employment of CS Personnel.

3.1. Subject to approval by HQ USAFE/A1C, establishment or conversion of positions for CS employment may be requested when economically feasible and practicable, and when any of the following conditions exists:

3.1.1. When the employment of CS employees will increase operational efficiency and the plan is to establish or convert an entire category of jobs within a given functional area or organizational assignment.

3.1.2. When employment of CS employees is considered advantageous in functional areas where availability and mobility, uniform appearance, group supervision, and teamwork are essential in accomplishment of the mission.

3.1.3. When logistical support is considered an incentive for recruitment of hard-to-fill vacancies or positions.

3.2. Conversion of positions previously authorized for CS employment to CTA status will be fully justified and requires prior approval by HQ USAFE/A1C.

3.3. Conversion of employees from CTA to CS status or vice versa is not mandatory nor will any coercion be exercised to achieve conversion plans requested in accordance with paragraphs **3.1.** and **3.2.** Requests will include a specific plan of action if filled positions are affected.

3.4. CS employees will be hired and administered through the CPF servicing the organization or installation.

4. Terms and Conditions of Employment:

4.1. The terms and conditions under which CS personnel are employed are established in the Collective Tariff Agreement as set forth in USAFEPAM 36-720, *Tariff Agreements That Apply to Persons Employed by the US Forces in Germany (English Translation)*, and in *Appendices R and Z* thereto. Further implementation provisions are outlined in USAFEI 36-723, *Implementation of Collective Tariff Agreement (CTA II) and Overtariff Conditions for Labor in the Federal Republic of Germany*, and USAFEI 36-701, *Employment at other Than Regular Place Of Work Or Domicile (Non-US Citizen Employees – Germany)*.

4.2. Under authority of the exchange of notes between the United States Ambassador, Bonn, and the German Federal Minister of Foreign Affairs, 11 April 1957, and by virtue of Article IX, (6) of the Status of Forces Agreement (SOFA), CS employees may be transferred at any time to any place within the Federal Republic of Germany (FRG), if the transfer is in the interest of the US Air Force.

4.2.1. On appointment, CS employees will sign, in duplicate, the German version of the “Additional Terms Of Employment,” prescribed in **Attachment 5**. The employee will receive the origi-

nal, the copy will be attached to the AF Form 825 to be filed in the Official Personnel Folder (OPF). **Attachment 4** to this instruction may be reproduced locally for this purpose.

4.2.2. Modifications to **Attachment 4** require prior approval from HQ USAFE/A1CP.

4.3. Uniform allowances and composition for CS employees are prescribed in USAFEI 36-729, *Uniforms for Non-US Citizen Personnel–Germany*.

5. Personnel Identification:

5.1. To identify the holder as a CS employee entitled to approved special privileges, the designation “CSU” will be annotated on the base entry identification medium (either USAFE Form 77, **Base Entry Identification**, or the Army in Europe/USAFE Installation Pass).

5.2. Identification media provided to USAFE Construction and Training Squadron (CTS) personnel will contain a remark to authorize access to admin areas of all USAFE Bases.

5.3. Issuance and control of firearm certificates required under Article 12 of the Supplementary Agreement to the NATO SOFA will be in compliance with AFI 31-207, Arming and Use of Force by Air Force Personnel, as supplemented.

5.4. Uniform insignia and badges to identify CS personnel will be in compliance with USAFEI 36-729.

6. Forms, Prescribed and Adopted:

6.1. **Forms Prescribed.** USAFE Form 17, **Meal Consumption Card (Accountable)**.

6.2. **Forms Adopted.** AF Form 213, **Receipt for Accountable Forms**; AF Form 251, **Meal Card Control Register**; AF Form 825, **Notification of Personnel Action (Non-U.S. (Germany))**; USAFE Form 52, **Request for Personnel Action Non-US (Germany)**; USAFE Form 77, **Base Entry Identification**.

ED KRINGER, Colonel, USAF
Director of Personnel

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

AFPD 36-7, *Employee and Labor-Relations Management*

AFI 31-207, *Arming and Use of Force by Air Force Personnel*

USAFEI 36-701, *Employment at Other Than Regular Place of Work or Domicile, Non-US Citizen Employees, Germany*

USAFEI 36-709, *Time and Attendance Reporting for Non-US Citizen Employees*

USAFEI 36-729, *Uniforms for Non-US Citizen Personnel*

USAFEI 36-723, *Implementation of Collective Tariff Agreement (CTA II) and Overtariff Conditions for Labor in the Federal Republic of Germany*

USAFEPAM 36-720, *Tariff Agreements That Apply to Persons Employed by the US Forces in Germany (English Translation)*

Civilian Personnel Directive 26--Germany, *Administration and Management--Non-US Citizen Employees*

USAFE Handbook, *Policy and Procedures on Reporting Time and Attendance*

Abbreviations and Acronyms

AE—Army in Europe

CPF—Civilian Personnel Flight

CS—Civilian Service

CSU—Civilian Service Unit

CTA II—Collective Tariff Agreement

FRG—Federal Republic of Germany

NATO—North Atlantic Treaty Organization

OAR—Organizational Account Representative

OPF—Official Personnel Folder

SOFA—Status of Forces Agreement

T&A—Time and Attendance

TDC-E—Theater Distribution Center -Europe

USAFE—United States Air Forces in Europe

Terms

Collective Tariff Agreement Employees—Non-US citizen personnel employed by the US Forces in Germany under the terms of CTA II.

Civilian Service Employees—Non-US citizen personnel employed by the US Forces in Germany under the terms of Appendix Z to CTA II.

Civilian Service Unit—A group of CS employees integrated into a military organization or organized as a closed unit to provide a mobile, non-combatant civilian component, supporting US Air Force units in their fulfillment of normal peacetime tasks. A CSU is not a separate US Air Force element but subordinate to the US Air Force commander of the military organization to which assigned or attached.

Attachment 2

USAFE CIVILIAN SERVICE PROGRAM–HOUSING

This attachment establishes policy and procedures for the use of government-controlled housing by CS employees.

A2.1. Policy. Commanders employing CS personnel will furnish them adequate government-controlled housing. Use of such housing is optional by employees unless otherwise directed in the performance of temporary duty, participation in maneuvers, or similar situations.

A2.2. General:

A2.2.1. Housing furnished to CS employees will be barracks-type bachelor quarters. The temporary accommodation of employees in tents during maneuvers or similar exercises or during periods of temporary duty is considered housing.

A2.2.2. At the time of appointment, employees will determine whether or not they desire to live in government controlled quarters. Subsequent changes to the initial determination require appropriate written notification to the servicing CPF, through the employing activity. Such notice must reach the employing activity by the last work day of the month preceding the effective change date.

A2.2.3. AF Form 825 will be prepared by the servicing CPF in connection with an employee's assignment or termination of housing, change from housing furnished without cost to housing at cost or vice versa, or changes in participation status. The notification will reflect the employee's determination regarding the use of quarters, the category of room provided, and the authority for a payroll deduction or exemption therefrom. Administrative instructions are contained in [A2.5.](#) below.

A2.3. Charges for Housing. Employees assigned housing will be subject to payroll deductions in accordance with the following:

A2.3.1. Deductions will be based on the rates established in the German Federal Ordinance on Payments in Kind (Sachbezugsverordnung) for the type of room (Belegungszahl) assigned, to include heating (Heizung) and light (Beleuchtung). The actual deductible amount will be one third of the rate effective at the time. Fractions will be rounded to the full Euro amount in accordance with commercial accounting principles.

A2.3.2. The appropriate monthly flat rate established in accordance with para [A2.3.1.](#) above, will be reduced 1/30 for each day a newly appointed or separated employee was not assigned housing during the pay period. No adjustment will be made if an employee does not use assigned housing for personal reasons.

A2.3.3. No deduction will be made for married employees who do not commute daily between family residence and the permanent duty station because of the distance involved, or for lack of transportation. The civilian personnel officer will determine whether an employee is to be exempted under the provisions of this paragraph. No exemption will be granted if the commuting distance (one way) is 20 kilometers or less.

A2.3.4. Employees who do not use housing at their permanent duty station and married employees who are covered under para [A2.3.3.](#) above, will also be exempt from payroll deduction under this

instruction if housing is utilized during periods of maneuvers or similar exercises or at a temporary duty station.

A2.4. Control of Housing. For adequate control of housing, and to ensure order and cleanliness in quarters, the responsible supervisor of civilian service employees will:

A2.4.1. Subject to works council cooperation establish house rules for the occupants. Violation of these rules may result in disciplinary action to include forfeiture of housing privileges or separation from employment, if warranted.

A2.4.2. Assign or terminate housing and provide the servicing CPF appropriate information on USAFE Form 52, **Request for Personnel Action Non-US (Germany)**, as a basis for executing AF Form 825.

A2.4.3. Maintain a register containing the following minimum information on occupants: Name, room number, number of beds assigned to room, date quarters assigned/vacated, and date of AF Form 825 effecting the action.

A2.5. Administrative Instructions – Terminology for Housing Actions.

A2.5.1. If an action relative to quarters occurs in conjunction with another personnel action requiring the preparation of AF Form 825, item 4 will reflect that action rather than the housing action.

A2.5.2. In the event a personnel action relative to quarters occurs separately, terminology used in Block 4, Nature of Action, on AF Form 825 will be as follows:

A2.5.2.1. On assignment of quarters. “Quarters Assignment/Inanspruchnahme von Unterkunft.”

A2.5.2.2. On termination of quarters. “Quarters Termination/Aufgabe der Unterkunft.”

A2.5.2.3. On change from housing furnished with cost to housing without cost. “Exemption from Deduction for Quarters/Befreiung vom Unterkunftsgeldabzug.”

A2.5.2.4. On change from housing furnished without cost to housing with cost. “Deduction for Quarters/Unterkunftsgeldabzug.”

A2.5.2.5. On change in participation status. “Change of Quarters/Wechsel der Unterkunft.”

A2.5.3. Regardless of whether use of quarters is subject to or exempt from payroll deduction under this regulation, the applicable number of persons assigned per room must be inserted to the German text in block 14 on AF Form 825 as follows:

A2.5.3.1. For rooms with one bed: “Einzelzimmer.”

A2.5.3.2. For rooms with two beds: “Doppelzimmer.”

A2.5.3.3. For rooms with three beds: “3 Bett-Zimmer.”

A2.5.3.4. For rooms with more than three beds: “Mehr als 3 Betten-Zimmer.”

A2.5.4. Terminology, remarks, and code entries required to properly complete USAFE Form 52 and AF Form 825 are listed in the Civilian Personnel Directive GER No. 26, Annex C, Table 5.

Attachment 3

USAFE CIVILIAN SERVICE PROGRAM--FOOD SERVICE

This attachment sets prescribes policy and procedures for the furnishing of meals to Civilian Service employees:

A3.1. Policy:

A3.1.1. CS employees are authorized to eat in appropriated fund dining facilities, or receive meals for consumption at their post of duty (Ground Support Meals) from the dining facilities or comparable messing facilities. Authority also extends to periods of non duty status, temporary duty outside the permanent duty station, or when the employee is participating in field exercises or maneuvers.

A3.1.2. Participation in messing is at the discretion of the employee unless otherwise directed during periods of temporary duty, maneuvers, or other similar situations.

A3.2. Verification of Eligibility. CS employees will use USAFE Form 17, **Meal Consumption Card**, together with their base entry identification medium (either USAFE Form 77, or the USAREUR/USAFE Installation Pass) to validate eligibility to use dining facilities.

A3.3. Control of Meals Consumed. When using a dining facility, a CS employee will present the meal consumption card to the head counter who will punch or indelibly check mark the square provided for the respective meal on that date. These entries will be the basis for payroll deductions (paragraph **A3.5.**, below) for meals consumed. The employee will also enter name, unit designation, and serial number of meal consumption card on signature sheets maintained in the dining facility. For Ground Support Meals, the official responsible for pick-up at a dining facility will have the meal consumption cards of all CS employees receiving such meals collected in advance so that the appropriate markings can be applied to the individual cards by the head counter at the dining facility.

A3.4. Charges for Meals Consumed:

A3.4.1. The amounts charged for the individual meals, i.e. breakfast (Frühstück), lunch (Mittagesen), and dinner (Abendessen), will be those established in the German Federal Ordinance on Payments in Kind (Sachbezugsverordnung) at the given time and will be collected by payroll deduction. For exceptions, refer to paragraph **A3.4.5.** There will be no other charges related to messing.

A3.4.2. Total deductions for a calendar month will not exceed the monthly meal rate established in the German Federal Ordinance.

A3.4.3. Employees will present their USAFE Form 17 to the individual preparing the Time and Attendance (T&A) Reports (timekeeper) no later than the first workday following the end of the month the card was issued for. The timekeeper will annotate the card to indicate that information thereon was transcribed to the T&A Report before having it returned to the responsible custodian. To allow proper payroll deductions for meals actually consumed, the appropriate data will be entered as prescribed in USAFEI 36-709, *Time and Attendance Reporting for Non-US Citizen Employees*, in connection with the USAFE Handbook, *Policy and Procedures on Reporting Time and Attendance*.

A3.4.4. To meet the prerequisites for reduction of travel allowance under the provisions of Appendix R, CTA II, Part III, Para 1c, the daily meal rate may not be charged even if the employee is partaking

in meals at a government dining facility. Days for which an employee receives, or will receive, a reduced travel allowance in accordance with referenced tariff provisions will be disregarded when making entries on the T&A reports as prescribed in [A3.4.3.](#) above. USAFE Form 17 will be annotated accordingly by recording the number of days not charged and proper tariff reference.

A3.4.5. Loss of the meal consumption card or failure to present it to the timekeeper as prescribed above, will result in full payroll deduction for meals for the respective period unless employees prove that they did not use a dining facility during all or part of the reporting period or were otherwise released for payment of meal charges. Evidence in support thereof will be presented to the T&A report certifying official for decision, which, in turn, will be made a matter of record to be maintained with the retired meal consumption cards. Circumstances surrounding the loss and investigative results (paragraph [A3.5.3.5.](#) below), will also be recorded and maintained together with the Meal Card Register.

A3.5. USAFE Form 17, Meal Consumption Card.

A3.5.1. USAFE Form 17 is a serially numbered controlled form. Requisition, issue, and control will be in accordance with applicable instructions and the provisions of this attachment.

A3.5.2. The commander of a CSU will appoint an Organizational Account Representative (OAR) and an alternate for the unit. Their names will be reported to the Theater Distribution Center – Europe (TDC - E) to identify them as the only persons authorized to request and receive USAFE Forms 17 from the TDC-E.

A3.5.3. To issue adequate control of meal consumption cards, custodians will:

A3.5.3.1. Obtain USAFE Form 17 from TDC-E and secure unissued cards in a locked cabinet or safe.

A3.5.3.2. Establish and maintain AF Form 213, **Receipt for Accountable Form**, AF Form 251, **Meal Card Control Register**, and other substantiating documents to account for received, issued and destroyed, or lost USAFE Forms 17.

A3.5.3.3. Issue meal consumption cards to authorized CS employees and obtain the recipients' signatures on AF Form 251. The recipient's name, unit designation, and the year and month the card is valid will be annotated on issued card.

A3.5.3.4. Ensure that all meal consumption cards are returned no later than 5 days after the end of the month they were issued for and enter the return date in column F of AF Form 251. Verify that returned cards are annotated by the timekeeper as prescribed by paragraph [A3.4.3.](#) above.

A3.5.3.5. Investigate the loss of a meal consumption card and make the result a matter of record (paragraph [A3.4.5.](#), above). Enter date reported and "LOST" in column F of AF Form 251. If card can be recovered and reissued to employee, enter date in column G on AF Form 251 and time period reported as lost on USAFE Form 17 to allow appropriate deductions in accordance with paragraph [A3.4.5.](#) above. New cards issued to replace lost cards will be recalled and returned to the timekeeper when the recovered card is reissued.

A3.5.3.6. Destroy by shredding or burning meal consumption cards in accordance with paragraph [A3.6.](#) below. Enter destruction date and certification signature in columns G and I of AF Form 251. For meal cards reported as lost, close out by entering "unrecovered" along with signature and date in column I of the same line the card was originally annotated as lost in.

A3.6. Disposition Instructions. Maintain and dispose of records created as a result of prescribed processes in accordance with Air Force Records Schedule in Web-RIMS.

Attachment 4

**STATEMENT TEMPLATE ON ADDITIONAL TERMS OF EMPLOYMENT
ZUSÄTZLICHE ARBEITSBEDINGUNGEN FÜR ARBEITNEHMER DER ZIVILEN
ARBEITSGRUPPEN UNTER USAFE**

Durch meine Unterschriftsleistung erkenne ich die nachstehend aufgeführten Bedingungen, zusätzlich zu den im AF Formblatt 825, **Bestätigung einer Personalmaßnahme (Non-US (Germany))**, festgelegten allgemeinen und persönlichen Beschäftigungsbedingungen und den für die Zivilen Arbeitsgruppen gültigen Verwaltungs-vorschriften, mit dem Tage der Einstellung als bindend für mein Arbeitsverhältnis an:

A4.1. Wenn es die Belange der US Streitkräfte erfordern, kann ich innerhalb der Bundesrepublik Deutschland jederzeit und an jeden Ort versetzt werden, an dem meine Dienste benötigt werden.

A4.2. Ich werde mich den von der Beschäftigungsdienststelle für notwendig erachteten ärztlichen Untersuchungen und Schutzimpfungen unterziehen.

A4.3. Ich bin mir darüber im Klaren, dass ich im Rahmen der mir übertragenen Aufgaben auch zu Arbeitseinsätzen von längerer Dauer, außerhalb des ständigen Beschäftigungsortes eingesetzt werden kann.

A4.4. Ich bin damit einverstanden während der Dienstzeit und, falls erforderlich auch während Dienstreisen, die jeweils vorgeschriebene Dienst-/Arbeitskleidung zu tragen.

A4.5. An von der Beschäftigungsdienststelle für notwendig erachteten Aus- oder Fortbildungskursen, deren Kosten die Dienststelle trägt, werde ich teilnehmen.

A4.6. Ich verstehe, dass ich die mir zugeteilte Unterkunft stets in einen ordentlichen und sauberen Zustand zu erhalten habe, und dass die erforderlichen Reinigungsarbeiten außerhalb der Arbeitszeit auszuführen sind.

(Datum)

(Name und Unterschrift des Arbeitnehmers)

Attachment 5**TRANSLATION/ÜBERSETZUNG
ADDITIONAL CONDITIONS OF EMPLOYMENT FOR USAFE CIVILIAN SERVICE
EMPLOYEES**

I acknowledge by signing that the following conditions, in addition to terms of employment outlined on AF Form 825, **Notification of Personnel Action (Non-U.S. (Germany))**, as well as applicable regulations and directives pertaining to the administration of Civilian Service employees, become part of my employment conditions upon appointment:

A5.1. If the interests of the US Forces so necessitate, I may be transferred at any time to any place within the Federal Republic of Germany where my services may be required.

A5.2. I will undergo medical examinations and accept preventive immunizations as deemed appropriate by the employing organization.

A5.3. I understand that I may be directed to perform assigned duties of longer duration outside the regular duty station.

A5.4. I agree to wear the prescribed uniform/work clothing during duty hours and while performing duty travel, if so required.

A5.5. I will take part in training and development courses as deemed appropriate and paid for by the employing organization.

A5.6. I understand that I will be held responsible to maintain assigned quarters in an orderly and sanitary condition and that I will be required to clean my assigned quarters during off-duty time.

(Date)

(Name and Signature of Employee)